REMARKS

In the office action preceding the final rejection, it was contended that the claim language identifying, for each portion, primarily signal attributes and primarily noise attributes, in claim 1 was taught by Tzirkel-Hancock at column 13, lines 37-41. That position is maintained here. However, a review of column 13, lines 37-41, demonstrate that the asserted noise portions are removed. It is stated in the material cited in the office action that "as mentioned above, the parameter and frames before the start point and after the end point correspond to background noise or parts of the word that are not pronounced in the example phrases, and can therefore be removed." Thus, it is clear that the asserted primarily noise attributes, namely, background noise, are actually removed. Therefore, the reference cannot meet the claim requirement out of "deriving a distance measure for one signal portion including noise by using primarily signal attributes of both signal portions including noise attributes." This is so because the alleged noise attributes, as set forth in the previous office action and this office action, are explicitly removed pursuant to the material cited and relied upon in the office action.

In the response to arguments, it is asserted that the input frames of the reference include an identified speech signal portion and a background portion, citing column 12, lines 37-46. All that material talks about is the asserted parameter frames. Parameter frames are also discussed in column 13, in cited lines 37-41. Taking the two together, it is clear that while the parameter frames may include what is called background noise, that background noise is removed before any distance measure is ever calculated, as explained in column 13, in cited lines 37-41. This is more explicitly explained in column 13, lines 50-55. There, it is stated that if after step S21 for the word "get" the start point is identified using the three phrases 151, 153, and 154 or frame F_8^{W1}, frame F_9^{W1}, and frame F_{13}^{W1}, then the average is frame $F_{10}^{W1\,([8+9+13]/13)}$ and all the frames in the sequence of parameter frames 158 before frame F_{10}^{W1} are discarded." It is explained that "a similar procedure is used for the end points, except that it is the frames beyond the end frame which are discarded." Thus, anything before the beginning and before the end (which is the material which the office action has contended is the asserted background noise which the Examiner contends reads on the noise attributes) is discarded. Therefore, it cannot be present when a distance measure is derived, as required by the claims.

Stated differently, it must necessarily be so that in column 16 when there is a discussion of frames and input words, the determination that is done is a comparison of the parameter frames without the background noise which has already been discarded. Certainly, the system is not talking about discarding it after the determination has already been done because there would be no reason to continue processing. The Applicant's position is further substantiated because the cited material in column 16 talks about the difference between the word model and the input word. But it is explained that Figure 14 and the material in column 13, which talks about removing the background noise, is what is used to generate "a word model." See column 13, lines 13 and 14. Thus, what is done is to compare the word model and the input word after the background noise has been removed. This goes directly against the teaching of the claim.

Column 11, lines 23-46, explains that the portions before and after the isolated word model are removed. Those portions are the portions which the Examiner has been relying on as the noise attributes as claimed here. See, for example, the present office action at page 3, last paragraph, citing column 13, lines 37-41, which talks about background noise.

Since all of the claims include language that involves not discarding a noise attribute, and the noise attribute relied on in the cited reference, namely background noise, is removed, the cited reference cannot meet the limitations of any of the claims in the present application and the application should be allowed.

Respectfully submitted,

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